

## EUROPEAN UNION COMMON ASYLUM SYSTEM: TO WHAT EXTENT HAS THE UNIFORMITY IN POSITIVE AND REJECTION DECISIONS AMONG THE EU COUNTRIES BEEN OBTAINED?

### Avrupa Birliđi Ortak Sığınma Sistemi: Avrupa Birliđi Ülkeleri Arasında Kabul ve Ret Kararlarında Tekdüzelik Ne Kadar Sağlandı?

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#### Özet

Avrupa Birliđi ülkeleri açısından ortak bir sığınma politikasının oluşturulması önemli bir gündem haline gelmiştir. Ancak, Avrupa Birliđinin ortak sığınma sürecini ne kadar uyguladığı ise halen bir soru işaretidir. Ortak sığınma sistemine geçilip geçilmediğini ifade eden göstergelerden birisi, Avrupa Birliđi ülkeleri tarafından sığınmacılar hakkında verilen kararlardaki farklılıkların azalmasıdır. Bu makale, Avrupa Birliđi ülkelerinin sığınmacılarla ilgili vermiş olduğu kararlarda tekdüzeliğin sağlanıp sağlanmadığı veya ne derece sağlandığını değerlendirmektedir. 2002 ve 2007 yıllarına ait kabul ve ret sığınma kararlarının karşılaştırılması sonucu, araştırma bulguları, sığınmacılar hakkında verilen her iki karar türünde ülkeler arası farklı uygulamaların önemli derecede azaldığını göstermektedir. Bundan dolayı, ortak sığınma sisteminin oluşturulması için harcanan çabaların etkili olduğu iddia edilebilir.

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### Abstract

Creating a common European Asylum System has become an important agenda for European Union countries. However, there is still a question that, to what extent, EU countries have implemented the process of common asylum system. One of the main indicators of achieving the common asylum system is to lessen different asylum practices among the EU countries. This article evaluates whether or to what degree, European Union countries have obtained the uniformity in asylum decisions. Comparing the positive and rejection decision rates between 2002 and 2007 across EU countries, findings reveal that cross country differences in both type of asylum decisions reduced from 2002 to 2007. For this reason, it can be argued that the efforts for a common asylum system appear to be effective.

**Key Words:** European Union, European Common Asylum System, Asylum, Refugee.

### Introduction

1951 Geneva Convention Relating to the Status of Refugees, outlining the fundamental criteria for the eligibility of refugee status, has played an important role in developing a certain degree of consensus on the refugee concept among countries. In this Convention, asylum is a type of protection provided by a country to a foreigner who is persecuted or at the risk of persecution based on five criteria: race, religion, nationality, membership of a particular social group, or political opinion.

Although, with the help of 1951 Geneva Convention, countries have arrived at a certain degree of consensus on asylum, the continuing different practices and understandings on this issue among the European Union (EU) countries have laid the foundation of recent steps to standardize the asylum practices.

During the 1990s, particularly with the adoption of the Amsterdam Treaty, creating a Common European Asylum System has become an important agenda for EU countries (Ozcan, 2005). Although significant efforts have so far been exerted to achieve this, an important question still is that, to what extent EU countries have implemented the process of common asylum system. One of the main indicators of achieving the common asylum system can be the lessened different asylum practices among EU countries. On the other hand, it is difficult to mention about

the existence of a common system if the asylum procedures among EU countries differentiate to a greater extent.

Given this context, the main purpose of this article is to evaluate whether or to what degree EU countries have obtained the uniformity in asylum decisions/procedures. The study first provides background information about the asylum trends, and then describes the push factors and the main efforts in establishing a common European asylum system. This study ends by comparing the positive decisions and rejection rates between 2002 and 2007 across EU countries in order to explore whether the uniformity is achieved in positive and rejection decisions among member states.

## **1. Asylum Seeking Trends in Europe**

It is obvious that EU countries are receiving the significant portion of asylum applications worldwide.<sup>2</sup> Similarly, asylum applications are not uniformly distributed across the countries of Europe. Old EU member countries, such as Germany, France, and Netherlands are receiving the greatest number of asylum applications even today.<sup>3</sup>

Europe received the greatest number of asylum applicants during 1990s following the Second Cold war. Many people sought protection because of civil wars and conflicts in Balkans. Similarly, many people from the Council of Europe, such as people from Turkey and from the former communist states, came to European countries to seek asylum (Council of Europe, 2010: 15). In addition to these numbers, Europe also struggled with a great number of asylum applicants from a number of Asian and African countries, such as Sri Lanka, Somalia, Afghanistan, and Pakistan.

Why asylum applicants choose certain regions or countries for destination is highly related to their perceptions of opportunities these countries provide. They weigh these advantages/disadvantages and then decide a destination country which will give them maximum benefit (Neumayer, 2004). Various studies examine which factors primarily affect asylum seekers' decision to choose the destination country. Some

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<sup>2</sup>According to a UNHCR report in 2011, 38 European countries received 60 percent of asylum applications worldwide in 2005, and 45 percent in 2009.

<sup>3</sup>The European Union was expanded from 15 to 25 countries in 2004, and to 27 in 2007.

studies find out that asylum applicants generally pay more attention to the countries which are rich, having little problem with unemployment, and economically growing well (Massey et al., 1993; Borjas, 1994). However, another study conducted by Neumayer (2004) finds that, when all variables in the model are taken into account, the existence of past communities in the country had the most significant and prevailing impact in determining the destination country. This means that asylum seekers are more likely to choose destination country if they have close networks in the same country.<sup>4</sup> Additionally, following this variable, country's income level, the share of right-wing populist parties, geographical proximity, language ties, colonial links and whether the destination country is full party to Schengen Convention are also found to be significantly associated with asylum applicant's decision to choose the destination country.<sup>5</sup>

Table 1 shows the distribution of asylum applications made to the European countries according to origin countries of asylum applicants. The European countries received 286,763 asylum applications in 2009 and 269,948 asylum applications in 2010. There was approximately 6 percent decrease in 2010 compared to 2009. The prominent source countries of asylum applications in largest number in 2009 are Afghanistan (%8,9), Iraq (%8,2), Somalia (%7,6), Russian Federation (%6,7), and Serbia (%6,4).

In 2010, the largest number of asylum applications lodged by people from Serbia (%9,8), Afghanistan (%8,5), Iraq (%7.1), Russian Federation (%6.5), and Somalia (%6). Considering the total application numbers to the European countries, compared to 2009, there is an increase in the percentage of asylum applicants from Serbia, while there was a significant reduction in the percentage of applicants from Afghanistan, Iraq, Russian Federation, and Somalia. Asylum applications from Macedonia and Iran significantly increased in 2010 compared to 2009.<sup>6</sup>

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<sup>4</sup> The past community variable is measured as the average share of asylum seekers from an origin country who had applied to a destination country in the previous two or five years.

<sup>5</sup> Income level is measured as gross domestic product (GDP); colonial link is measured as the colony experience of the country in number of years between 1900 and 1960; shared language is measured as dummy variable whether the country of origin shares the same language with the destination country; geographical proximity is measured as the minimum distance in miles between the capital cities of the origin and destination country.

<sup>6</sup> The statistics in these tables show the number of persons lodging asylum applications for the first time.

**Table 1:** Asylum Applications Lodged in Europe according to the Origin

Country	2009	%	2010	%	Percentage change from 2009 to 2010
Serbia	18494	6.4	26562	9.8	3.4
Afghanistan	25661	8.9	22939	8.5	-0.5
Iraq	23639	8.2	19176	7.1	-1.1
Russian Federation	19267	6.7	17639	6.5	-0.2
Somalia	21811	7.6	16091	6.0	-1.6
Iran	10441	3.6	13003	4.8	1.2
Pakistan	9926	3.5	9130	3.4	-0.1
Nigeria	12326	4.3	8302	3.1	-1.2
Eritrea	9553	3.3	7849	2.9	-0.4
Georgia	10841	3.8	7244	2.7	-1.1
Macedonia	838	0.3	6681	2.5	2.2
Sri Lanka	8003	2.8	6681	2.5	-0.3
China	5850	2.0	5987	2.2	0.2
Turkey	6557	2.3	5828	2.2	-0.1
Bangladesh	5720	2.0	5701	2.1	0.1
Congo	4764	1.7	5358	2.0	0.3
Syria	4960	1.7	4848	1.8	0.1
Guinea	4382	1.5	4780	1.8	0.2
Armenia	5989	2.1	4776	1.8	-0.3
Other	77741	27.1	71373	26.4	-0.7
<b>Total</b>	<b>286763</b>		<b>269948</b>		

**Source:** UNHCR (2010).

Table 2 shows the distribution of asylum applications in 2009 and 2010 in European countries. According to these figures, France, Germany, the United Kingdom and Belgium received the majority of asylum applications. Considering the total application numbers to the European countries, compared to 2009, the number of asylum

applications increased in Germany (%5,7), France (3,1), and Sweden (3,4), while majority of other countries experienced reductions, such as the United Kingdom (%2,5), Norway (%2,5), and Italy (%3,1).

**Table 2:** Asylum Applications Lodged in European Countries<sup>7</sup>

Country	2009	%	2010	%	Percentage change from 2009 to 2010
France	42120	14,6	47790	17,7	3,1
Germany	27650	9,6	41330	15,3	5,7
Sweden	24190	8,4	31820	11,8	3,4
United Kingdom	30670	10,7	22090	8,2	-2,5
Belgium	17190	6,0	19940	7,4	1,4
Netherlands	14910	5,2	13330	4,9	-0,2
Switzerland	14490	5,0	13520	5,0	0,0
Norway	17230	6,0	10060	3,7	-2,3
Austria	15820	5,5	11020	4,1	-1,4
Greece	15930	5,5	10270	3,8	-1,7
Italy	17600	6,1	8190	3,0	-3,1
Poland	10590	3,7	6540	2,4	-1,3
Turkey	7830	2,7	9230	3,4	0,7
Finland	5910	2,1	4020	1,5	-0,6
Denmark	3820	1,3	4970	1,8	0,5
Hungary	4670	1,6	2460	0,9	-0,7
Cyprus	3200	1,1	2860	1,1	-0,1
Spain	3010	1,0	2740	1,0	0,0
Ireland	2690	0,9	1940	0,7	-0,2
Malta	2390	0,8	150	0,1	-0,8
Other	5920	2,1	5678	2,1	0,0
<b>Total</b>	<b>287830</b>		<b>269948</b>		

**Source:** UNHCR (2010).

<sup>7</sup> The report covers 38 European countries. These are the official statistics provided by these countries to UNHCR according to their national laws and procedures.

## **2. Push Factors for Developing a Common Asylum System**

Two reasons lay the foundation for establishing a common asylum system: (1) Burden sharing among the states, (2) Maintaining solidarity and fairness in the process.

### ***2.1. Burden Sharing Among States***

Opportunities provided for refugees and asylum seekers vary from one European country to the other. Therefore, asylum applicants are more likely to choose countries which provide better opportunities for them. Moreover, because some countries tend to follow restrictive policies to asylum applicants, their neighboring countries are much concerned about facing migratory pressures. Actually, when examining the asylum application data, there is a huge difference in the number asylum applications between the older and newcomer EU countries. According to the recent Eurostat figures, between 2006 and 2010, the old EU countries received almost 91% of asylum applications made to EU countries. They also constituted 79% of applications made to the European countries<sup>8</sup> (European Commission, 2011).

From this perspective, the unequal distribution of asylum applications among European Union countries can be considered as an important reason for planning a common asylum system. Particularly, this concern was raised by Germany when she received the largest number of asylum applicants in 1992, which constituted 62 percent of all applicants registered in EU countries. However, comparing the distribution of asylum applicants by relying on absolute numbers is not a reliable method in terms of measuring the burden. In this context, although Germany receives the highest number of asylum applicants in absolute numbers, by analyzing the distribution of asylum applications based on the population of the country between 1994 and 2002, Thielemann (2009) posits that Switzerland, the Netherlands, and Belgium are receiving the largest portion of asylum seekers when taking into account the population of these countries. Thielemann (2009) also states that new member states, such as Malta and Cyprus are currently heavily challenging with high asylum application burdens.

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<sup>8</sup> There are 12 old and 15 new EU countries. The report covers 38 European countries.

The unequal distribution of asylum applications lead some human rights groups, non-government organizations (NGO) and leading European countries to call for a support for a burden sharing policy in the asylum seeking process. At the 2004 Council Meeting in Brussels, EU leaders emphasized the importance of a fair burden sharing system in terms of sharing responsibility and financial encumber in the area of asylum, migration and border management among the European Union countries. Similarly, some NGOs, such as United Nations High Commissioner for Refugees (UNHCR) strongly support for an effective burden sharing policy because solving refugee problem as well as protecting refugees largely depends on this (Thielemann, 2009:3).

## ***2.2. Preventing the Abuse of the Asylum System***

Preventing irregular immigration is the second important reason for the need of establishing a common asylum policy. Particularly, upon the adoption of European Union Constitution and the adoption of Schengen Convention, the removal of internal borders among EU countries has raised certain security and economic concerns leading EU countries to pay more attention to external borders to prevent undesired immigration (Ozer, 2011:200). The newly emerged policy to control undesired immigration, called as Fortress Europe, produced undesired consequences. One important unexpected consequence of 1990s strict immigration control policies can be the of asylum system. Thousands of illegal immigrants successfully enter into safe countries and thus seeking asylum in these countries. Second, many illegal immigrants abuse the system by seeking asylum to be freed from removal centers and then go to unknown places, and thereby becoming the part of illegal immigration again<sup>9</sup>. In this way, the deportation duration prolongs and the process becomes more difficult. Akbas (2011) states that there is a certain degree of relation between illegal immigration and asylum seeking phenomena. Focusing on Turkey, he claims that a noteworthy number of asylum applicants escape and go to unknown places. Particularly, asylum seekers from African and Asian countries, mainly from Afghanistan, Somali, and Sudan, are more likely to abuse the asylum seeking system in Turkey.

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<sup>9</sup> In 2011, twenty-seven percent of asylum applicants were made from removal centers and almost one out of ten illegal migrants filed an asylum application to Turkish authorities.



### **3. Steps Taken for Common Asylum System**

1999 Amsterdam Treaty is a cornerstone in the process of establishing a common asylum and immigration policy in Europe. When it was signed in 1997 by EU members, it transformed the asylum system in EU into a “semi community” function which proposes some legally binding elements in the realm of asylum and immigration (Van Krieken, 2004). The Article 63 of the Amsterdam Treaty explicitly urges the European Council to take necessary measures “promoting a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons.” In order to form the burden sharing mechanism, EU countries largely depend on promoting “sharing people” and “policy harmonization” through forming a set of common rules in the fields of asylum and immigration. These rules are commonly complied by EU countries (Thielemann, 2008:4).

Physical transfer of asylum applicants from one country to another is the most commonly used method to reduce the disparities in refugee burdens among EU countries. In this sense, Dublin II Regulation and Eurodac are two important arrangements in terms of people sharing policy. The main logic of these arrangements is to prevent “asylum shopping” (the situation in which individuals try their chances at multiple times in different countries) as well as “asylum in orbit” (the situation that no country takes responsibility for examining the file of a displaced person) (Schuster, 2011:404; Thielemann, 2008:5). From this perspective, Dublin II regulation determines which country is mainly responsible for examining an asylum application. According to Dublin II regulation, an individual EU country which provides visa or permits legal entry to a person is responsible for examining that asylum claim. When neither of these criteria is met, the first country that receives the application is mainly responsible for examining the case (Schuster, 2011: 404). Eurodac system keeping the data and fingerprints of asylum seekers helps to determine whether any applicant has previously applied in any EU country. Therefore, effective application of Dublin II regulation lays on the foundation of adopting Eurodac directive(s) (Özcan, 2005).

For a common European asylum system, in addition to the above mentioned regulations, four regulations were developed. These are Temporary Protection Directive (Directive 2001/55/EC), The Reception Conditions Directive (Directive 2003/9/EC), the Asylum Procedures

Directive (2005/85/EC), and the Qualification Directive (Directive2004/83/EC).

The Temporary Protection Directive determines the minimum criteria that EU countries should follow when mass exodus of displaced persons enters into the country. Individuals who are under the temporary protection cannot benefit from regularly used asylum process. The aim of this regulation is to obtain fairness in the distribution of sources (i.e, costs, and efforts) and in the process of receiving displaced persons.

The Reception Conditions Directive forces EU countries to provide some basic provisions with asylum applicants in certain areas, such as accommodation, health care, and access to legal rights. The standardization of these areas ensures that any member country does not deter or attract asylum seekers just because she has a different reception condition from other EU countries.

The Asylum Procedures Directive outlines the basic procedural rights for asylum applicants. According to this directive, asylum applicants should have an opportunity for personal interview, detailed information about the asylum process, benefit from legal assistance, interpretation services, and judicial oversight. Finally, the Qualification Directive describes who is eligible for refugee status and subsidiary protection as well as what will be the minimum level of protection when a person is given a refugee status or subsidiary protection. This directive is expected in theory to play a role in reducing disparities among EU countries in the field of asylum.

EU countries have implemented/developed certain policies, such as fair sharing of asylum burdens and prevention methods for the misuse of asylum system, to achieve a common asylum system.

There are, however, some criticisms for negative impacts of these attempts. First, the harmonization process does not necessarily provide better conditions to asylum seekers. Contrary to the positive expectations that these policies should play a role in protecting the rights of asylum seekers and refugees, they hardened the reception conditions for asylum seekers. Based on these arguments, some environments are in support for not implementing the current harmonization process until the current state-based practices transformed into the humanitarian one (Eneajor, n.d:18). Second, policy reforms and efforts modestly achieved the fair burden sharing of asylum applicants across countries (Neumayer, 2004:156).

Although the main purpose of Dublin II regulation and Eurodac system is to obtain a fair burden sharing among member states, it is argued that some EU countries which have limited reception capacity for asylum applicants are negatively affected by these regulations because of their critic geographical location. Therefore, the newly established system is criticized for creating a more complicated and burdensome process (Filzwieser, n.d). For instance, in a study visit to Poland in 2010, Poland authorities stated that the migratory pressures on Poland significantly increased because the country is located at a critical transit zone for migrants. Even though many individuals do not prefer to stay in Poland, they are sent to Poland again by inland countries because of these regulations.<sup>10</sup> UNHCR claims that commonly used standards and uniformity in the area of asylum could not still achieved. Significant disparities still existed in asylum legislation and practices across EU countries.

Therefore, although the steps for the harmonization of the asylum system are appreciated by many people, criticisms also exist claiming that there are still big differences in the decisions of positive and rejection rates of asylum applicants between countries (see for example, Schuster, 2011).

## **4. Methodology**

### ***4.1. Concepts, Measurements, and Data***

This study is based on the analysis of secondary data collected from 18 European countries. The data were collected based on the regulation of 11 July 2007 (Regulation of the European Parliament and of the Council on Community). This data set keeps statistics on the number of asylum applications and the percentage of granting, refusing refugee status or other forms of international protection. The study will examine two types of decisions: positive and rejection decisions. Positive decisions are given to individuals who are recognized as refugees or granted to them another type of international protection (Eurostat, 2010:199). It is, therefore, necessary to define concepts of asylum application, asylum seeker, and refugee:

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<sup>10</sup> Polonya İltica ve Sınır Dışı Güvenliği İşlemleri Gezi İnceleme Raporu, Çalışma Ziyareti Raporu. Emniyet Genel Müdürlüğü, Yabancılar, Hudut, İltica Daire Başkanlığı.

*Asylum applications* refer to all persons who apply on an individual basis for asylum or similar protection, irrespective of whether they lodge their application on arrival or from inside the country, and irrespective of whether they entered the country legally or illegally. *An asylum applicant* is a person who has requested protection under: Article 1 of the Geneva Convention relating to the status of refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967; or within the remit of the United Nations convention against torture and other forms of cruel or inhuman treatment (UNCAT); or the European convention on human rights; or other relevant instruments of protection. *An asylum seeker* is an asylum applicant awaiting decision on an application for refugee status or another form of international protections. *A refugee* is person with a well founded fear for being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion (according to Article 1 of the 1951 Convention) (Eurostat, 2010:199).

Eurostat provides data related to asylum decisions at two periods: 2002 and 2007. Within each time period, the data provide the number of asylum applicants, percentage of positive and rejection decisions. Although the data do not contain the most updated information (not include the 2008, 2009, 2010, and 2011 decisions), it enables us to compare two time period with each other. Comparing the asylum decisions in 2002 with those in 2007 is meaningful because almost no common policy was effective in 2002 in the field of asylum. However, all these above mentioned arrangements have mostly been completed until 2007. Therefore, it can be theoretically argued that arrangements for a common asylum policy reduce the differences in both positive and rejection decision rates among EU countries.

Based on these explanations, two hypotheses can be proposed:

Hypothesis 1: Among the European Union countries, differences in positively granted decisions in 2007 should have been reduced compared to those in 2002.

Hypothesis 2: Among the European Union countries, differences in rejection decisions in 2007 should have been reduced compared to those in 2002.

#### 4.2. Methods of Analysis

This study examines whether cross country differences in asylum decisions in 2007 are slighter than those in 2002. Differences can be measured by examining how the cases are distributed. Greater differences between case values make the distribution more skewed and heterogenic. However, smaller differences make it more uniform and homogenous.

In any distribution, examining the relationship between mean and standard deviation provide important implications about the feature of a distribution. The formula of the mean is:

$$\bar{X} = \Sigma X_t / N$$

$X_t$  = value of X for case (observation)t

N = number of cases in the entire sample

Mean is generally measured as a central tendency of a distribution. By knowing the mean, it can be decided where the most typical cases in the distribution fall into and the position of a case in the distribution relative to the mean. One characteristic of the mean is that it includes all cases in the distribution in its calculation. Therefore, values of cases, lower or higher, significantly affect the value of the mean.

Standard deviation is used to determine the measure of dispersion in a distribution. It provides information how different the rest of the distribution compared to the more typical cases in the same distribution. Considering the formula of standard deviation as:

$s = \sqrt{\Sigma (X_t - \bar{X})^2 / N}$  , it involves the property of sum of all deviations from the mean and is standardized by the number of cases in the sample. Based on the calculation of the standard deviation, relative to the mean, it can be decided how homogenous or heterogenous the distribution is. Since all cases are included in the calculation of standard deviation, larger case values produce higher standard deviations compared to the mean. It can be safely argued that if the value of the standard deviation is higher than the value of the mean, the distribution is heterogenic. However, when its value is lower relative to the mean, the distribution is more homogeny. In short, cross country differences in asylum decisions is determined by examining the relationship between mean and standard deviation.

## 5. Findings

Table 4 indicates the descriptive statistics about the positive and rejection decisions. It shows that % 14, 6 of asylum applications in 2002 and %31,4 of those in 2007 were given positive decisions (granted refugee status or other forms of international protection) by EU countries. As it is seen in the Table 4, there was a 16 percent increase in positive decisions on asylum applicants. While there is an increase in positive decisions, it is seen a reduction in rejection decisions from 2002 to 2007. Additionally, sixty-three percent of asylum applicants in 2002 versus %53 of those in 2007 were rejected.

**Table 3:** Descriptive Statistics Related to Positive Decision and Rejections

Decision (%)	Year	Mean	Standard Deviation	Minimum	Maximum
Positive	2002	14,6	17,2	0,00	74
	2007	31,4	16,8	1,9	56,3
Rejection	2002	63,3	29,7	11,7	100
	2007	53	18,3	29,7	95,5

In terms of differences in positive decisions among EU countries, relative to the mean, the value of standard deviation in 2007 is smaller (almost half of it) than the value of the standard deviation relative to the mean in 2002. In other words, since the value of standard deviation is half of the mean, it shows that the distribution of positive decisions in 2007 among EU countries is normally distributed and sharing responsibilities among the states is at reasonable level. However, when examining the year of 2002 in terms of its positive decisions' distribution, it is clear that standard deviation is higher than the mean which shows a negatively skewed distribution. This distribution also suggests that EU countries significantly differ from each other by their positive decisions' performance. Therefore, it can be concluded that positive decisions are distributed more uniformly and homogenous in 2007 than decisions in 2002. In other words, differences in positive decisions among EU countries were reduced significantly from 2002 to 2007.

Similarly, relationship between standard deviation and mean in rejection decisions reveal that the distribution in 2007 is also more homogenous than the distribution in 2002. Therefore, it can also be said that differences in rejection decision among EU countries were reduced significantly from 2002 to 2007.

Moreover, examining the range values (minimum and maximum) provide hints about the extent of variations in asylum decisions. In positive decisions, the range value in 2007 (56,3-1,9=54,4) is lower than the range value in 2002 (74-0=74). Similarly, in rejection decisions, the range value in 2007 (95,5-29,7=65,8) is quite lower than the range value in 2002 (100-11,7=88,3).

## **Conclusion**

This article, examining positive and rejection decisions on asylum applications in 2002 and 2007, attempts to determine whether efforts exerted by EU countries for a common asylum system has turned to be effective in terms of reducing the cross country differences in asylum practices. The results indicate that differences in both types of asylum decisions reduced from 2002 to 2007. In this way, it can be argued that the efforts for a common asylum appear to be effective; however, it is necessary to consider the limitations of this study.

The major limitation of this study is related to the dearth of data. In this study, only the years of 2002 and 2007 cross country positive and rejection decisions are used. Since the data do not include recent years: 2008, 2009, 2010, and 2011, it is difficult to determine whether the current trend sustains these acquisitions in asylum practices among EU countries. Moreover, it is also necessary to examine cross country differences based on the origin countries, such as Iran, Afghanistan, and Serbia. Actually, one study that examines the Iraqis' recognition rates finds significant cross country differences in Europe. For example, the recognition rates by Germany, Sweden, UK, Greece, and Slovenia is followed as: %85, %82, %13, %0 and %0 (Schuster, 2011). Finally, the data covers only 18 EU member countries since the remaining 9 countries does not have positive and rejections data belonging to 2002. Therefore, an important implication for the future researchers is to use recent years' data which cover all EU countries as well as categorize asylum applicants' countries while examining the country based differences in asylum practices and procedures.

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